

BILL NO. Z-92-03-14

ZONING MAP ORDINANCE NO. Z-

AN ORDINANCE amending the City of  
Fort Wayne Zoning Map No. P-2.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT  
WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby  
designated an R-3 (Multi-Family Residential) District under  
the terms of Chapter 33 of the Code of the City of Fort Wayne,  
Indiana of 1974:

PARCEL 1:

Lots Numbered 161, 162, 163, 164, 165 and the North 20  
feet of Lot Number 166, all in Fletcher's Addition to the  
City of Fort Wayne, according to the plan thereof,  
recorded in Deed Record 61, page 285, in the Office of  
the Recorder of Allen County, Indiana.

PARCEL 2:

A part of the West Half of the East Half of the Northwest  
Quarter of Section 7, Township 30 North, Range 13 East,  
Allen County, Indiana, more particularly described as  
follows:

Commencing at a point on the West line of the East Half  
of said Quarter Section 7 where the South line of Maumee  
Avenue intersects said line and being about 20 feet South  
of the Northwest corner of said Half Quarter Section;  
thence running East along the South line of Maumee  
Avenue, 148 feet to the West line of Wabash Avenue;  
thence running South, parallel with the West line of said  
Half Quarter Section, 315 feet to the North line of Winch  
Street; thence running West, parallel with the South line  
of Maumee Avenue, 148 feet to the West line of said Half  
Quarter Section; thence running North on said West line  
of said Half Quarter Section, 315 feet to the place of  
beginning, except the alley over the West 6 feet thereof.

and the symbols of the City of Fort Wayne Zoning Map No. P-2,  
as established by Section 11 of Chapter 33 of the Code of the  
City of Fort Wayne, Indiana are hereby changed accordingly.

SECTION 2. That this Ordinance shall be in full force  
and effect from and after its passage and approval by the  
Mayor.

C. R. Edmund  
Councilmember

APPROVED AS TO FORM AND LEGALITY:

J. Timothy McCaulay  
J. TIMOTHY MCCAULAY, CITY ATTORNEY



PAUL HELMKE, MAYOR



# RECEIPT

No 10890

COMMUNITY & ECONOMIC DEVELOPMENT

FT. WAYNE, IND., Feb 14 19 91

RECEIVED FROM

Douglas A. McCumb

\$ 100.00

THE SUM OF

One Hundred and no/100's

100

DOLLARS

ON ACCOUNT OF

Reason application e 1221-31 Grant

PAID BY: CASH ☒ CHECK ☐ M.O. ☐

W.S. 07

AUTHORIZED SIGNATURE

RECEIPT NO. \_\_\_\_\_

DATE FILED \_\_\_\_\_

INTENDED USE \_\_\_\_\_

THIS IS TO BE FILED IN DUPLICATE

I/We RICHARD L SANDERS  
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an R2 District to a/an R3 District the property described as follows:

Lot 161, 162, 163, 164, 165 & 166 of Fletchers Addition and the site of the old McCulloch School. The street address of the property to be rezoned is as follows: 2002-2008 & 2029 Maumee Avenue in addition 1215, 1221, 1223, 1225 & 1231 Grant Avenue

(Legal Description) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED:

Indicate above

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

_____	_____	_____
_____	_____	_____
_____	_____	_____
(Name)	(Address)	(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by \_\_\_\_\_  
(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$100.00)

Name and address of the preparer, attorney or agent.

<u>Douglas A. McComb, P.E.</u>	<u>46748</u>	<u>219-637-5551</u>
(Name)	(Address & Zip Code)	(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoned.

See attached.

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Owners of Property

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<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
(Name)	(Address)	(Signature)

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE

This form is to be filed in duplicate.

NOTICE:

FILING OF THIS APPLICATION GRANTS THE CITY OF FORT WAYNE PERMISSION TO POST "OFFICIAL NOTICE" ON THE PETITIONED PROPERTY.

FAILURE TO POST, OR TO MAINTAIN POSTING CAN PREVENT THE PUBLIC HEARING FROM BEING HELD.

## **LEGAL DESCRIPTION**

### **PARCEL 1:**

Lots Numbered 161, 162, 163, 164, 165 and the North 20 feet of Lot Number 166, all in Fletcher's Addition to the City of Fort Wayne, according to the plat thereof, recorded in Deed Record 61, page 285, in the Office of the Recorder of Allen County, Indiana.

### **PARCEL 2:**

A part of the West Half of the East Half of the Northwest Quarter of Section 7, Township 30 North, Range 13 East, Allen County, Indiana, more particularly described as follows:

Commencing at a point on the West line of the East Half of said Quarter Section 7 where the South line of Maumee Avenue intersects said line and being about 20 feet South of the Northwest corner of said Half Quarter Section; thence running East along the South line of Maumee Avenue, 148 feet to the West line of Wabash Avenue; thence running South, parallel with the West line of said Half Quarter Section, 315 feet to the North line of Winch Street; thence running West, parallel with the South line of Maumee Avenue, 148 feet to the West line of said Half Quarter Section; thence running North on said West line of said Half Quarter Section, 315 feet to the place of beginning, except the alley over the West 6 feet thereof.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana on March 10, 1992 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-92-03-14; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on March 16, 1992.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO NOT PASS recommendation based on the following "Findings of Fact".

(1) the grant will be injurious to the public health, safety, morals and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will be affected in a substantially adverse manner;

(3) the need for the rezoning does not arise from conditions peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

(4) the strict application of the terms of the zoning ordinance will not constitute an unusual an unnecessary hardship to this property;

(5) the grant interferes substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held April 27, 1992.

Certified and signed this  
29th day of April 1992.



Robert Hutner  
Secretary

# Division of Community Development & Planning

## BRIEF TITLE

Zoning Map Amendment

## APPROVAL DEADLINE

## REASON

From R2 to R3

## DETAILS

## Specific Location and/or Address

2002-08-24 Maumee &amp; 1221-23-25-31 Grant Av

## Reason for Project

Proposed development of apartment buildings.

## Discussion (Including relationship to other Council actions)

16 March 1992 - Public Hearing

See Attached Minutes of Meeting

27 April 1992 - Business Meeting

Motion was made and seconded to return the ordinance to the Common Council with a DO NOT PASS recommendation.

Of the seven (7) members present, six (6) voted in favor of the motion, one (1) did not vote.

Motion carried.

## POSITIONS

## RECOMMENDATIONS

## Sponsor

City Plan Commission

## Area Affected

City Wide

Other Areas

Applicants/  
Proponents

## Applicant(s)

Richard L Sanders  
City Department

Other

## Opponents

## Groups or Individuals

Basis of Opposition

Staff  
Recommendation☐ For☒ Against

## Reason Against

-approval would establish an undesirable precedent that could negatively impact area

Board or  
Commission  
Recommendation

By

☐ For☒ Against☐ No Action Taken

☐ For with revisions to conditions  
(See Details column for conditions)

CITY COUNCIL  
ACTIONS  
(For Council  
use only)☐ Pass☐ Other☐ Pass (as amended)☐ Hold☐ Council Sub.☐ Do not pass



**DETAILS**

**POLICY/ PROGRAM IMPACT**

Policy or Program Change	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Operational Impact Assessment		

(This space for further discussion)

Project Start

Date

14 February 1992

Projected Completion or Occupancy

Date

29 April 1992

Fact Sheet Prepared by

Date

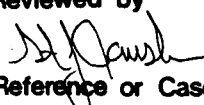
29 April 1992

Patricia Biancaniello

Reviewed by

Date

29 APRIL 1992



Reference or Case Number

Bill No. Z-92-03-14 - Change of Zone #503  
From R-2 to R-3  
2002-08-24 Maumee Ave & 1221-23-23-31 Grant Ave

Doug McComb, engineer, for a proposed multi-family development on this property appeared before the Commission. Mr. McComb stated that he was involved with the project from an engineering standpoint and would like to address those issues. He stated at this point with the rezoning now just being heard it would be premature to do so. He stated that he had met with the staff and discussed the capability of doing this type of project if the rezoning was granted. He stated that he felt confident that they could put the units on the property that they are asking to rezone. He stated that he was aware that the current concern was as to how compatible this would be with the surrounding area. He stated that he would let Mr. Sanders speak to that question.

Richard Sanders, the owner of Sanders Mortuary and developer of the proposed apartments, appeared before the Commission. Mr. Sanders stated that they feel that this type of project is needed in the inner city. He stated that across from the mortuary they have East Central Towers. He stated that they have a five (5) year waiting list for those units. He stated that they were considering the development for senior citizens. He stated that the senior citizens in the area do not want to sell their homes and move out of their neighborhoods. He stated they want to live where their friends and churches are located. He stated that they would have a security watch on this complex on a 24 hour basis. He stated that he felt this development would help protect senior citizens and help to upgrade the area. He stated that they have been working with the Housing Authority and they would be helping to place some of the people in this project who are unable to get into the current senior citizen facilities. He stated that they are looking to have the units filled through the Housing Authority. He stated that they would also have the Housing Authority play as manager of the buildings.

Steve Smith questioned how many units would be built on the site.

Mr. Sanders stated that there would be six (6) buildings with a total of eight (8) units per building, two-story in height.

Mel Smith questioned if they had looked at reducing the density of the project to duplexes.

Mr. Sanders stated that they have not. He stated that he did not feel duplexes would accommodate the needs they are trying to meet.

There was no one else present to speak in favor of or in opposition to the proposed rezoning.

#503

ORIGINAL

ORIGINAL

DIGEST SHEET

TITLE OF ORDINANCE Zoning Map Amendment

DEPARTMENT REQUESTING ORDINANCE Land Use Management - C&ED

SYNOPSIS OF ORDINANCE 2002, 2008 & 2029 Maumee Avenue and  
1215, 1221, 1223, 1225 & 1231 Grant Avenue

2-92-03-14

EFFECT OF PASSAGE Property is currently zoned R-2 - Two Family  
Residential. Property will become R-3 - Multi-Family Residential.

EFFECT OF NON-PASSAGE Property will remain R-2 - Two Family  
Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) \_\_\_\_\_

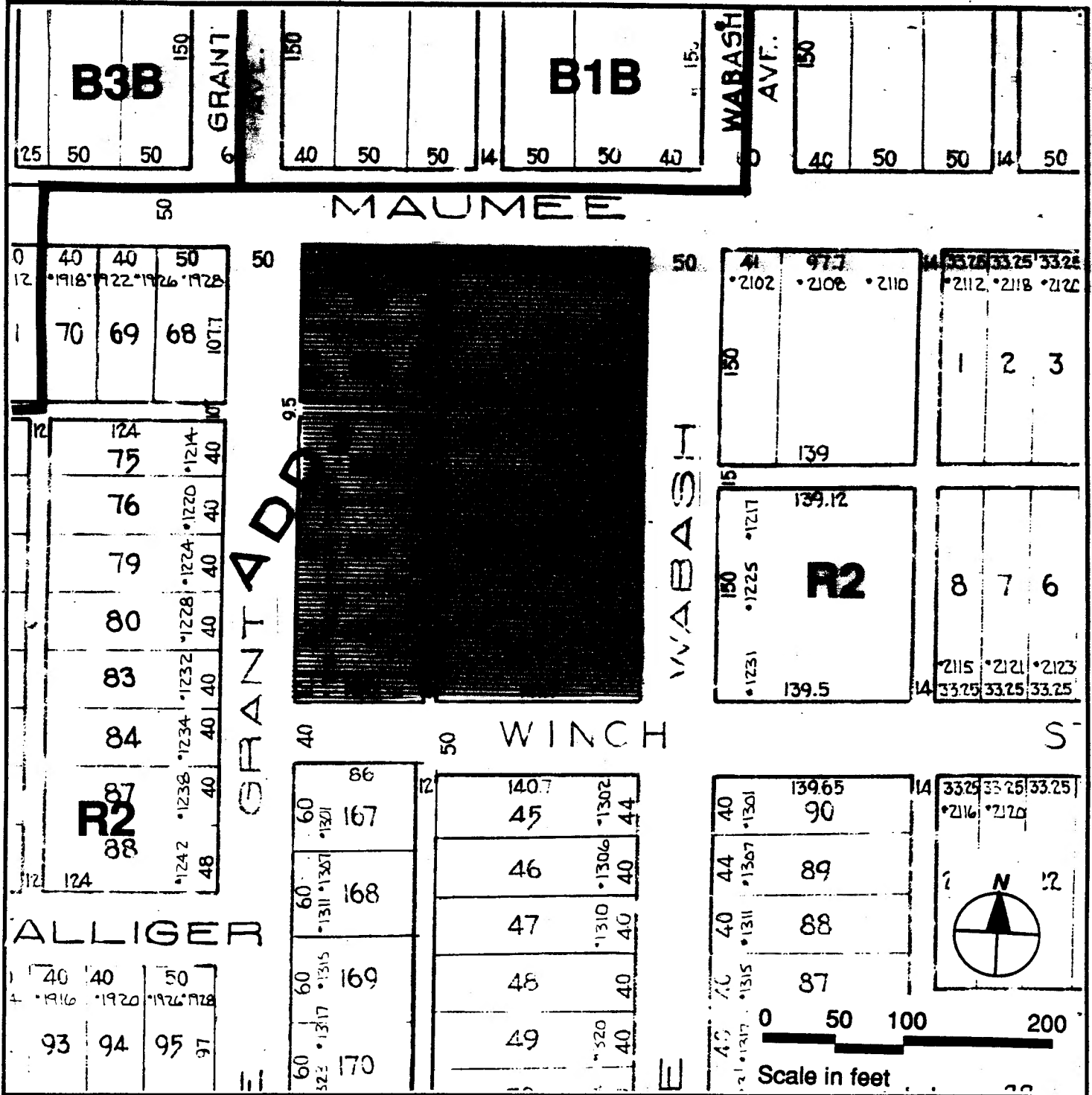
(ASSIGN TO COMMITTEE) \_\_\_\_\_



# REZONING PETITION

## AREA MAP

**CASE NO. #503**



**COUNCILMANIC DISTRICT NO. 1**

Map No. P-2  
LW 2-20-92

<b>R1</b>	One-Family	<b>B1</b>	Limited Business	<b>M1</b>	Light Industrial
<b>R2</b>	Two-Family	<b>B2</b>	Planned Shopping Center	<b>M2</b>	General Industrial
<b>R3</b>	Multi-Family	<b>B3</b>	General Business	<b>M3</b>	Heavy Industrial
<b>RA/RB</b>	Residential	<b>B4</b>	Roadside Business	<b>MHP</b>	Mobile Home Park
<b>PUD</b>	Planned Unit Dev.	<b>POD</b>	Professional Office District		

BILL NO. Z-92-03-14

REPORT OF THE COMMITTEE ON  
REGULATIONS

CLETUS R. EDMONDS, CHAIR  
MARK E. GIAQUINTA, VICE CHAIR  
RAVINE, SCHMIDT

WE, YOUR COMMITTEE ON \_\_\_\_\_ REGULATIONS \_\_\_\_\_ TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) \_\_\_\_\_ amending the City of  
Fort Wayne Zoning Map No. P-2

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
(ORDINANCE) (~~RESOLUTION~~) \_\_\_\_\_

<sup>NOT</sup>  
DO PASS

DO ~~NOT~~ PASS

ABSTAIN

NO REC

<u>C. Edmonds</u>	_____	_____	_____
<u>Mark E. Giaquinta</u>	_____	_____	_____
<u>Ravine, Schmidt</u>	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

DATED: 5-26-92

Sandra E. Kennedy  
City Clerk